

**Subject:** RE: 1330 Pico - HPOZ Determination/Meeting with Ken Bernstein  
**From:** Joel Miller <jmiller@psomas.com>  
**Date:** 10/30/17, 3:39 PM  
**To:** Gerald Gubatan <gerald.gubatan@lacity.org>  
**CC:** Dave Garcia <david@sandstoneproperties.com>, Lali De Aztlan <Lali@deaztlangroup.com>, "Jenna Snow (jenna@preservingbuildings.com)" <jenna@preservingbuildings.com>, Paul Garry <paul.garry@psomas.com>

Thanks, Gerald. Ken's feedback is consistent with my last email. My only concern is the duration. If we can get everything done in the next 2-4 months, then the matter will be resolved prior to our application submittal. Please let Ken know that I would be happy to work with him on this. Alternatively, if he says that his staff can handle everything without our assistance, that's fine as well. Our only concern is the timeline.

Regards,

Joel

Joel B. Miller, AICP, LEED AP  
PSOMAS | Balancing the Natural and Built Environment  
Vice President/Principal  
Land Use Entitlements  
555 So. Flower Street, Suite 4300  
Los Angeles, CA 90071  
Direct dial: 213.223.1440  
[www.psomas.com](http://www.psomas.com)

-----Original Message-----

From: Gerald Gubatan [<mailto:gerald.gubatan@lacity.org>]  
Sent: Monday, October 30, 2017 2:52 PM  
To: Joel Miller <[jmiller@psomas.com](mailto:jmiller@psomas.com)>  
Cc: Dave Garcia <[david@sandstoneproperties.com](mailto:david@sandstoneproperties.com)>; Lali De Aztlan <[Lali@deaztlangroup.com](mailto:Lali@deaztlangroup.com)>; Jenna Snow ([jenna@preservingbuildings.com](mailto:jenna@preservingbuildings.com)) <[jenna@preservingbuildings.com](mailto:jenna@preservingbuildings.com)>  
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Hello Joel,

Ken advised that a correction to the survey could be handled by the Director of Planning, but a correction to the HPOZ boundary, which was established by ordinance, would need to be corrected by ordinance.

The Planning Department would probably need to be the lead in preparing the land use technical correction ordinance, signing off on behalf of the CPC, then taking the ordinance to the PLUM Committee and City Council.

Sent from my iPhone

On Oct 30, 2017, at 1:22 PM, Joel Miller <[jmiller@psomas.com](mailto:jmiller@psomas.com)> wrote:

Good morning, Gerald.

I understand that last week's meeting with Ken last went very well, and Ken acknowledged that the HPOZ should not have included the 1330 Pico site. I believe that Ken may have mentioned that to correct the mistake will take about 6-9 months. I've reviewed the Zoning Code to learn more about the process of correcting technical errors. Sec. 12.20.3 F.3 (d)(3) appears to delegate this decision to the Planning Director. That is, the Director can make the corrections after consulting with the Board of Historic Preservation and the Cultural Heritage Commission. Subsection 'e' requires that we file a request to correct the technical error. We will, of course, comply with this obligation.

I don't know that anything is required beyond this step, but if the HPOZ must be amended by ordinance, there is an expedited process to do this. In fact, our office is working with City Planning on another case where the zoning was incorrectly placed on the property. The Planning Department is taking this correction directly to PLUM and the City Council (the Director is "signing off" for the Commission). This process is taking about 6-8 weeks.

Would you please let Ken know that I would like to follow up with him - or you can simply forward my email to Ken. As soon as I know that Ken's been brought into this additional discussion I will contact him.

I don't think anyone wants to delay the progress of our client's project while waiting for the correction to the HPOZ. We are likely to be in the position to file the application within the next 2-4 months so it would be good to have the HPOZ matter resolved before our filing.

Thank you,

Joel

Joel B. Miller, AICP, LEED AP  
PSOMAS | Balancing the Natural and Built Environment Vice  
President/Principal Land Use Entitlements  
555 So. Flower Street, Suite 4300  
Los Angeles, CA 90071  
Direct dial: 213.223.1440

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